



STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH

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JUVENILE JUSTICE & MINORITY ISSUES COMMITTEE

General Services Conference Room
Andrew Johnson Tower, First Floor
Thursday, May 3, 2007
2:15 p.m. – 3:45 p.m.

MINUTES

Committee Members Present

Dwight Stokes, Acting Chair
Dennis Clark
Jim Ford
Chey Korvandi-Geledar
Carleton Lewis
Joetta Yarbro

Committee Members Absent

Beverly Cosley, Chairperson
Michelle Crowley
Sidney Bynum
Chey Korvandi-Geledar
Dana Lesley
Christy Little
Jerry Maness

Staff Present

Linda O'Neal, Executive Director
Debrah Stafford, JJ Director
Faye Delk
Dominick Grimaldi
Ann Lowe
Philip T. McKenzie
April Swoner
Vicki Taylor
Zanira Whitfield
Elaine Williams
Gwen Wright

I. Approval of Minutes for February 22, 2007

Since Chair Beverly Cosley was unable to attend the committee and commission meetings, Stokes served as acting chair for the meeting.

IT WAS MOVED (LEWIS) AND SECONDED (FORD) TO APPROVE THE MINUTES OF THE MEETING OF THE JUVENILE JUSTICE AND MINORITY ISSUES COMMITTEE ON FEBRUARY 22, 2007. UNANIMOUSLY CARRIED.

II. Update on DMC Task Force – Vicki Taylor

On March 29, 2007, Shelby County DMC Task Force coordinated a conference.

Presenters included:

- Bart Lubow, Annie E. Casey Foundation, Juvenile Detention Alternatives Initiative.
- Clinton Lacey, W. Haywood Burns Institute.
- Theresa Lurry, Consultant with Developmental Services Group funded by OJJDP.

Participation was good and included representatives from District Attorney's office, Shelby County Commission, School System, Juvenile Court, faith-based organizations and other diverse attendees. Debrah Stafford, John Hall, and Linda O'Neal met with Juvenile Court Judge Curtis Person and juvenile court staff in Memphis/Shelby County.

On April 10, 2007 the statewide quarterly DMC Task Force Meeting was in recognition of Minority Health Month with the following speakers:

- Dr. Theodora Pinnock, M.D., Director of Maternal and Child Health, Tennessee Department of Health.
- Dr. Frieda Outlaw, Assistant Commissioner of Special Populations, Tennessee Department of Mental Health and Developmental Disabilities.
- Servella Terry, Tennessee Department of Children's Services.
- Pat Slade, Tennessee Department of Children's Services.

The Knoxville DMC Task Force participated in a conference of the TCCY East Tennessee Region. Topics of discussion included juvenile justice statistics in Knox County. Dennie Littlejohn was interviewed and an article appeared in the newspaper.

III. Update on Grant Applications Received – Vicki Taylor

There were fifteen EUDL and four Title V applications reviewed and scored by staff and the Grant Review Committee (GRC). Ford, chair of the committee, stated they did not renew two continuation grants and extended six months on last year's residual funds for the two Title V grants.

Stafford stated a list of the EUDL and Title V grants reviewed is included in the packet for approval at the commission meeting May 4, 2007. It lists the composite scores for the grants, the amount of money proposed to be awarded, and the grants that were disapproved.

IV. CJJ Conference Update - Debrah Stafford

The Coalition of Juvenile Justice (CJJ) Conference on Reauthorization of the JJDP Act will occur June 9-12, 2007 in Washington, DC. The Act was last reauthorized in 2002. Linda O'Neal, as part of the Government Relations Committee, will be presenting on how to prepare for visits with legislators. Each year at the spring CJJ conference in Washington there are meetings with legislators to educate them on the importance of juvenile justice

funds. Attendance at this year's conference will be decided after the Commission Meeting.

V. CJJ Award Nomination Forms – Debrah Stafford

The following awards are included in the CJJ awards each year.

- The Spirit of Youth Award is for a young person that has 'beat the odds' from being adjudicated delinquent to contributing back to his/her community.
- The A. L. Carlyle Award is for someone who has been a good advocate for children. There has not been a recent recipient from Tennessee.

A description of the Spirit of Youth Award and the A. L. Carlisle Child Advocacy awards along with nomination forms were given to committee members for consideration for 2008.

VI. Update on ACT 4 Juvenile Justice – Linda O'Neal

The information on the Juvenile Justice and Delinquency Prevention (JJDP) Act was emailed to committee members. Durham serves on the Steering Committee that approved the Coalition having a lead roll in the reauthorization of the Act, and CJJ has had extensive involvement in moving it forward. A handout was presented giving the JJDP Statement of Principles within four areas.

- I. KEEP CHILDREN AND YOUTH OUT OF THE JUSTICE SYTEM;
- II. ENSURE EQUITY AND COMPETENCE;
- III. ENSURE RESPONSES APPROPRIATE TO A YOUNG PERSON'S AGE AND STAGE OF DEVELOPMENT;
- IV. STRENGTHEN THE FEDERAL PARTNERSHIP WITH THE STATES.

A list of organizations that agrees with the principles and seeks the reauthorization of JJDP Act is included with principles. It is felt the Tennessee Commission on Children and Youth should be included on the list as supporting this legislation.

IT WAS MOVED (FORD), SECONDED (YARBRO) THAT THE TENNESSEE COMMISSION ON CHILDREN AND YOUTH BE ADDED TO THE LIST OF ORGANIZATIONS UNDER THE STATEMENT OF PRINCIPLES IN SUPPORT OF THE REAUTHORIZATION OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT. MOTION CARRIED.

IT WAS MOVED (LEWIS), SECONDED (FORD) TO PRESENT THE JJDP STATEMENT OF PRINCIPLES AND TAKE IT TO THE FULL COMMISSION FOR CONSIDERATION. MOTION CARRIED.

VII. Update on Deinstitutionalization of Statue Offenders (DSO) – Phil McKenzie

There were 103 DSO violations last year at this time, but currently, there are 73. Hopefully, there will be no more than 100 violations at the end of the fiscal year.

On April 27, 2007, Jowers and McKenzie met with a construction company that has a contract to build four new jails in southwestern Tennessee. They wanted to put space for juvenile beds in the jails, which is not permitted. The plans were changed to have a nice room with bathroom that is not secured in the back of all four facilities. This area will serve as a conference room for lawyers and clients and as a space for a juvenile while waiting to be picked up. There will be a crash bar on the door to provide exit possibilities, a television and a DVD. Chester County will be the first one to have this planned space.

Stafford noted that in 1998 Tennessee was close to out of compliance with 484 DSO violations; in 1999, Tennessee went out of compliance with 787 violations. Action was initiated immediately to: talk with judges, have commission members visit judges, revise the enforcement mechanism plan, and monitor on a monthly basis instead of quarterly basis. In 2000, violations dropped to 400, and every year since then, violations have decreased. Ford recommended that this success story be sent to the Governor under cover letter from the TCCY Executive Director.

Problems concerning violations, Valid Court Order, and other forms were discussed.

- Many violations were failure to complete the Valid Court Order process through all required steps. The Valid Court Order allows the judge to hold the child for a longer period of time than the 24 hours required for a status offender.
- In 1999 and 2000 in Shelby County, parents or DCS were not picking up their children in a timely manner. This is beginning to occur again.
- Concern was expressed about the Valid Court Order forms used by the various counties. Lewis stated some of the surrounding counties are using commitment forms when a child is placed in DCS custody, and it is unclear whether they are making a delinquent commitment or an unruly commitment. The statute requires for a commitment to be made on the forms provided by DCS for a delinquent. It was questioned whether the paperwork is causing any problems.
- Stokes noted it would be a good idea to check the forms for commitment as there are some items that should be in it.
- McKenzie stated a Valid Court Order form has been created and supplied to the YSO for each child issued an order. JJ staff developed the form and is giving it to the court. It has nothing to do with the commitment orders. O'Neal stated this is something that could be taken to Administrative Office of the Courts (AOC) to consider.

VIII. Equipment for Juvenile Courts (ACTION) – Debrah Stafford

A proposal for assistance to juvenile courts was presented to the committee. Courts have inquired about available money for obtaining computers or software. The AOC informed

Stafford and O'Neal there are courts still handwriting their information. Some courts are still keeping books and ledgers. In the past TCCY has given computers to the courts to assist in record keeping. Stafford and O'Neal discussed the funds with Maureen Abbey of Finance and Administration who has been dealing with TCCY financial end of the federal and state money received. It was determined the RFP takes too much time.

From the proposal, the following points were made.

- It is projected that between \$2,000 and \$3,000 would be needed for each court.
- The proposal is to buy all the courts computers or software over the next three years (about one-third or 33 courts a year) that need equipment.
- The first priority would be for the courts immediately needing computers and as determined from AOC feedback received from the courts.
- The second priority would be to provide court computers to replace very old computers.
- The third priority would be to provide the other courts software to upgrade computers.

TCCY would like the commission to consider the proposal at this time because there are residual funds from the federal formula grant funds and based on the following explanations:

- The federal money has to be used by the end of September 2007 which would give plenty of time.
- When residual funds are from the planning and administrative money, there has to be a match in using it.
- There are state funds available that could be a match for the federal money, but the state money has to be used by the end of June.

It was further explained that when dealing with fiscal years, items actually have to be: 1) purchased and 2) received in order for it to count toward that particular fiscal year. Chair called for a motion.

Yarbro questioned about the receptivity of the juvenile courts on the technology assistance and whether there are people trained to use the systems. Stafford stated courts had called both TCCY and AOC for assistance. She noted the AOC is committed to training the courts on any of the packages they put out to the courts, especially on the new software that AOC is developing. Ford inquired about the funding in following years. Stafford stated the funds would be designated as a portion from the residual funds from year-to-year for the juvenile courts. The requirements to receive the funds were given as follows:

- Submit monthly data to AOC.
- Install email and internet services.
- Court will transfer the computer to their inventory.
- Purchase computers from state list.

O'Neal stated that TCCY may never realistically buy 95 computers for all the counties but buying 33 computers the first year would be without question. If the commission approves the proposal, the computers can be made available to the courts.

IT WAS MOVED (YARBRO) AND SECONDED (CLARK) THAT THE PROPOSAL FOR ASSISTANCE TO TENNESSEE'S JUVENILE COURTS IN PURCHASING COMPUTERS AND/OR SOFTWARE FOR PROVIDING DATA AND INFORMATION TO THE ADMINISTRATIVE OFFICE OF THE COURTS BE FUNDED FROM FEDERAL FORMULA GRANT RESIDUAL FUNDS AND STATE MATCHING FUNDS. MOTION CARRIED. LEWIS AND STOKES RECUSED.

IX. Update on Program Monitoring by TCCY Staff – Gwendolyn Wright

Monitoring has reverted back to the Regional Coordinators from a few years ago. It was decided Regional Coordinators would not monitor their own areas. Wright is monitoring in Madison County on four grants, one being Madison County Juvenile Court Services with a small grant of \$4,600 in the second year. It includes little over \$3,000 in travel and about \$1,000 for supplies and operations.

Children are referred from juvenile court as first time offenders and the goal of the grant funds is to reduce youth recidivism by 80 percent. They want to serve 30 youth a year. The first year one youth re-offended, none so far this year. Parents and children are educated on socially appropriate behavior. Monthly roundtable meetings are held and youth are taken on outings. Youth do community service with staff observing, work in high school offices and do volunteer work at local senior citizens homes and nearby sports complex.

The program looks good and does achieve the goals in providing the services. Ford commented that the program is achieving much for the amount of money awarded. He inquired about the effect of the additional work that is being assigned to Regional Coordinators in program monitoring. Wright responded it is too early to determine and noted they are working locally on monitoring.

X. Other Business

O'Neal distributed a handout taken from the Governor's website in which he addressed the Joint Convention of the General Assembly about changes in the Basic Education Program. The Governor outlined plans for a dramatic overhaul of education funding in Tennessee involving substantial increases.

Lewis noted last week there was a DCS Convening on Permanency for Youth focused on children who are aging out or about to age out of custody and difficulty with permanency. He wanted to recognize Michelle Crowley of the committee, as she and the Youth Advisory Council have produced some very excellent quality written material summarizing the legal rights for children who are in custody. The Council worked hard

to provide kids who are in custody with all the information and gave them as much of a voice as possible. O'Neal noted that Carlton, Michelle, and Col. Robbins were speakers at some of the events leading up to the Youth Permanency Convening. The Nashville Convening is one of three meetings that are outcomes of the Casey Foundation National Convening. There will be convenings in East and West Tennessee later this year.

As there was no other business to come before the committee, the meeting adjourned at 2:45 pm.

Minutes submitted by:

Minutes approved by:

Ann Lowe, Administrative Secretary

Dwight Stokes, Acting Chair